

**Extension of Weighted Averages Waiver**  
**FY 2010**

**Purpose:**

This instruction sets forth the policy to extend the waiver of the requirement for weighted averages for nutrient analyses of school lunches and breakfasts.

**Scope:**

Sponsors participating in the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP).

**Description:**

This waiver extends to all schools using nutrient analysis, as well as to State Agencies (SAs) conducting independent analysis as part of their ongoing review of schools' compliance with the nutrition standards. It should be noted that the statute applies only to requirements imposed by USDA. The provision does not prohibit SAs from requiring schools to use weighted averages when doing nutrient analysis, nor does it prohibit SAs from using weighted averages when doing nutrient analyses as a part of nutrition reviews of schools using food-based menu planning systems.

Weighted analysis is a more accurate and useful method for doing nutrient analysis since it is based on student selection and, therefore, allows schools, States and federal policy makers to assess whether students are actually making more informed, healthier choices. Once a school or State knows what kind of choices students are making, they are in a better position to modify menus and design nutrition education programs to address any issues revealed by the nutrient analysis.

**SOURCE:** SECTION 749(B) OF THE AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010 (PUBLIC LAW 111-80) AMENDED SECTION 9(F)(5) OF THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT